

REMARKS

Claims 1-64 were pending. Claims 1, 7-10, 13, 16-19, 24-27, 32-34, 40-43, 48-50, 59-62, 67, and 68 have been amended for clarification purposes. Support for the claim amendments to claims 1, 7, 9-10, 16-19, 24, 26-27, 32, 34, 40, 42-43, 48, 50, 59, 61-62, and 67 may be found in the Specification on at least page 13, line 21 to page 14, line 11. Support for the amendments to claims 13, 33, 49, and 68 may be found in the Specification on at least page 13, lines 9-19. Support for the amendments to claims 8, 25, 41, and 60 may be found in the Specification on at least page 7, lines 10-22

Accordingly, claims 1-64 remain pending in the application.

In the Office Action dated December 28, 2005, claims 1-68 were rejected under 35 U.S.C. § 102(e) as being anticipated by newly cited reference U.S. Patent No. 6,240,555 (hereinafter “Shoff”). While Applicant traverses the examiner’s rejections, the Applicant has amended the claims for clarification purposes and believes the resulting claims to be patentably distinguishable. Accordingly, Applicant respectfully requests reconsideration.

In the Office Action dated December 28, 2005, it was suggested that newly cited Shoff disclosed all of the features of claims 1-68. However, Applicant submits each of the independent claims, as amended, recites features that are not disclosed or suggested by Shoff. For example, claim 1 now recites a method that includes

“executing an interactive application corresponding to a program;
providing an opportunity for the display of added content, wherein
provision of said added content is configured to be triggered by
one or more user selections;
generating one or more automatic selections associated with said
opportunity, said generating comprising executing a script,
wherein provision of said added content is triggered by said one or
more automatic selections instead of said one or more user
selections; and

providing said added content for display in response to detecting said automatic selections.”

It is noted that provision of content is configured to be triggered by user selections and that automatic selections are generated by executing a script. The automatic selections, instead of the user selections, are then used to trigger the added content. In contrast, Shoff discloses two approaches to invoke interactivity, a “viewer activate” mode and an “automatic” mode. More specifically, Shoff discloses:

“At this point, there are several ways to initiate viewing the supplemental content. One approach is to permit the viewer to selectively activate the interactive mode (i.e., the “viewer activate” branch from step 160). The viewer may know that the program is interactive compatible by checking a newspaper listing or other program guide. Another way is to have the viewer computing unit display an icon or other indicia on the screen to visually inform the viewer that the program is interactive compatible (step 162 in FIG. 6).

As long as the viewer does not activate the icon 204, the viewer computing unit continues to receive the video content program over the selected channel and display that program alone, without any supplemental content (steps 166 and 168 in FIG. 6).

If the viewer decides to enter into an interactive mode, the viewer employs a remote control handset, mouse, keyboard, or other mechanism to actuate the icon 204. This causes the browser 106 to start the target resource located by the target specification listed in the EPG data structure (step 170 via the “yes” branch from step 164).”

This leads to another approach to invoking the supplemental content. Rather than displaying an icon and waiting for input from the viewer, the viewer computing unit can automatically activate the target resource as soon as the browser is loaded on the processor (step 170 from the “automatic” branch from step 160).

The target resource contains digital data which supports interactive functionality in conjunction with the associated video content program. The digital data defines the supplemental content to enable viewer interactivity with the video content program. The digital data also defines a display layout prescribing how the supplemental content and the video program are to appear in relation to one another when displayed on the screen.” (Shoff, col. 9, line 30 to Col. 10, line 6).

As may be seen from the above, Shoff discloses a viewer activated interactive mode and an automatically activated interactive mode. However, Shoff does not disclose activating the automatic mode by executing a script to generate one or more automatic selections. Accordingly, Applicant finds no teaching or suggestion of "generating one or more automatic selections associated with said opportunity, said generating comprising executing a script," as is recited in Claim 1. In addition, it is noted that when interactivity is enabled, whether by viewer activation or automatically, Shoff does not disclose generating any automatic selections that trigger provision of supplemental content. Viewer input is still needed during interactivity. Accordingly, Applicant finds no teaching or suggestion in Shoff of "provision of said added content is triggered by said one or more automatic selections instead of said one or more user selections," as is further recited in claim 1. For at least the above reasons, Applicant believes that claim 1, as amended, is patentably distinguishable from the cited art. As each of independent claims 19, 34, and 50 includes features similar to those of claim 1, independent claims 19, 34, and 50 are believed patentable for similar reasons. As each of the dependent claims include at least the features of the independent claims upon which they depend, each of the dependent claims are believed patentable for at least the above reasons as well.

In addition to the above, the dependent claims recite additional features that are nowhere disclosed by the cited art. For example, since Shoff fails to disclose a script, the execution of which generates one or more automatic selections, Applicant submits that Shoff also fails to disclose "conveying said script from a network communications operator," and "receiving said script" as is recited in claim 2, "storing said . . . script," and "retrieving . . . said script," as is recited in claim 3, and "wherein said script is dynamically created," as is recited in claims 15, 31, 47, and 66.

Further, while it is suggested that the features of claims 9, 17, 18, 26, 32, 42, 48, and 61 are disclosed by Shoff, Applicant can find no disclosure of a queue or of storing the selections in a message queue, or any such disclosure. Still further, Applicant can

find no disclosure of a script configured to “simulate one or more user selections” as is recited in claims 13, 33, 49, and 68.

Applicant believes the application to be in condition for allowance. However, should the examiner believe issues remain, the below signed representative would greatly appreciate, and requests, a telephone interview at (512) 853-8866 to facilitate a speedy resolution.

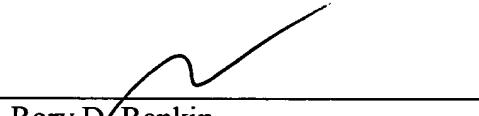
CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5266-03400/RDR.

- Request for Continued Examination
- Extension of Time
- Fee Authorization
- A Return Postcard

Respectfully submitted,


Rory D. Rankin
Reg. No. 47,884
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin,
Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800

Date: June 28, 2006